

00- *R*-1492

A RESOLUTION BY

FINANCE/EXECUTIVE COMMITTEE

AUTHORIZING THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH A. G. EDWARDS & SONS, INC., STONE & YOUNGBERG, LLC., AND LOOP CAPITAL FOR FC-7235-00, BANKING SERVICES TO UNDERWRITE ATLANTA DEVELOPMENT AUTHORITY OF THE CITY OF ATLANTA ATLANTIC STEEL TAX ALLOCATION DISTRICT BONDS (RFP) IN CONNECTION WITH THE ISSUANCE OF APPROXIMATELY \$110 MILLION FOR THE ATLANTIC STEEL TAX ALLOCATION DISTRICT (TAD) BONDS.

WHEREAS, in 1999, the City of Atlanta, Atlanta Board of Education and Fulton County approved the Atlantic Steel Redevelopment Plan & Tax Allocation District (TAD). This redevelopment plan and corresponding tax allocation district was passed to transform a blighted brownfield site into a national model to infill development; and

WHEREAS, it will be necessary to issue approximately \$110 Million in Tax Allocation District Bonds in order to fund said project; and

WHEREAS, a syndicate of investment banking firms have been identified who are willing and able to assist the City in selling such bonds; and

WHEREAS, it is necessary that the City enter into an appropriate agreement with the recommended investment bankers;

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be and is hereby authorized to execute an agreement for investment banking services in connection with the issuance of approximately \$110 Million in Atlanta Development Authority of the City of Atlanta Atlantic Steel Tax Allocation District (TAD), bonds with the following firms: A.G. Edwards & Sons, Inc., Stone & Youngberg, LLC, and Loop Capital.

BE IT FURTHER RESOLVED, that the City Attorney be and is hereby directed to prepare an appropriate contractual agreement and to approve same as to form for execution by the Mayor.

BE IT FINALLY RESOLVED, that this agreement shall not become binding on the City and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the Contractor.

(9-11-00/BPRE/RFM)

**BUREAU OF PURCHASING AND REAL ESTATE
LEGISLATIVE SUMMARY**

TO:

FINANCE/EXECUTIVE COMMITTEE

AUTHORIZING THE MAYOR TO ENTER INTO AN APPROPRIATE CONTRACTUAL AGREEMENT WITH A. G. EDWARDS & SONS, INC., STONE & YOUNGBERG, LLC., AND LOOP CAPITAL FOR FC-7235-00, BANKING SERVICES TO UNDERWRITE ATLANTA DEVELOPMENT AUTHORITY OF THE CITY OF ATLANTA ATLANTIC STEEL TAX ALLOCATION DISTRICT BONDS (RFP) IN CONNECTION WITH THE ISSUANCE OF APPROXIMATELY \$110 MILLION FOR THE CITY OF ATLANTA ATLANTIC STEEL TAX ALLOCATION DISTRICT (TAD) BONDS.

**REQUESTING
DEPARTMENT:**

Finance

CONTRACT TYPE:

Professional Services

SOURCE SELECTION:

Competitive Sealed Proposal

**BID/PROPOSAL
OPENING:**

June 7, 2000

**NO. INVITATIONS
ISSUED:**

28

PROPOSALS RECEIVED:

11

PROPONENTS:

Banc of America, First Albany Corp, First Southwest, Lehman Bros/SBK Brooks Investment Corp., A.G. Edwards & Sons, Stone & Youngberg, LLC/LOOP Capital, Morgan Stanley Dean Witter/Apex Pryor Securities, Paine Webber, Inc./Siebert Brandford & Co., Graicap, Inc., Robinson-Humphrey/M.R. Beal & Company, Salomon Smith/Barney Redwood Securities/ Bearn Stearn & Co./Jackson Securities/First Union, Suntrust & Equitable Securities/Wachovia Securities

BACKGROUND:

To provide funding for the City of Atlanta Atlantic Steel Tax Allocation District. The bond proceeds will be used to make certain public improvements within the district boundaries.

**EVALUATION TEAM
COMPOSITION:**

Department of Finance, OCC & Risk Management



CITY OF ATLANTA


BILL CAMPBELL
MAYOR

OFFICE OF CONTRACT COMPLIANCE
55 TRINITY AVENUE, S.W., SUITE 1700
ATLANTA, GEORGIA 30335
TEL (404) 330-6010
FAX (404) 658-7359

SUSAN BRONSTON SULLIVAN
ACTING DIRECTOR

MEMORANDUM

TO: Felicia Strong-Whitaker, Director
Bureau of Purchasing and Real Estate

FROM: Susan Bronston Sullivan, Acting Director 
Office of Contract Compliance

DATE: August 18, 2000

RE: **Recommendation for FC- 7235-00**
Banking Services to Underwrite Atlanta Development
Authority of the City of Atlanta Atlantic Steel District Bonds
(RFP)

We are in receipt of eleven (11) proposals for the above referenced project. The Office of Contract Compliance has carefully reviewed the proposals to determine the proposals' responsiveness. The review has been conducted in a manner consistent with the rulings of the U.S. Supreme Court and the 11th Circuit Court of Appeals. In accordance with the ruling in Engineering Contractors of South Florida v. Metropolitan Dade County, 122 F. 3d 895, 926 (11th Cir. 1997), the City of Atlanta's Equal Business Opportunity Ordinance establishes aspirational goals for participation by firms owned and controlled by minorities and females and provides for the waiver of those goals in appropriate circumstances. Minority and female participation goals were set for this project. Where every goal was not met by a responsive proponent, adequate information was submitted by that proponent and a waiver was granted with the courts' requirements that all goals be narrowly tailored for every project. Failure to provide for and to grant, where appropriate, waivers of minority and female participation goals would make the City of Atlanta's EBO program inconsistent with the line of cases beginning with the City of Richmond v. Croson, 488 U.S. (1989) and subject to challenge.

EBO Goals: 30% Retention and allocation of bonds available to M/FBEs.

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August 18, 2000
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<u>Company</u>	<u>EBO</u>
AG Edwards/Stone & Youngberg/Loop Capital	15
Bear Stearns/Jackson Securities	15
First Albany Corp./Ramirez & Co.	15
Lehman Brothers/SBK Brooks	15
Morgan Stanley Dean Witter/APEX PRYOR SECURITIES	15
Paine Webber/Siebert Brandford & Shank/Graicap	15
Salomon Smith Barney/Redwood Securities	15
Robinson Humphrey/M.R. Beal	15
Suntrust Equitable/Wachovia Securities	1
Banc of America Securities, LLC	Non-Responsive
First Southwest	Non-Responsive

If there are questions, please contact me or Pamela Smith at 330-6010.

CC: File
Rholanda Malveaux, BPPE

FC-7235-00, ATLANTIC STEEL PROJECT TAX ALLOCATION BONDS

PROPOSERS	EVALUATOR #1			EVALUATOR #2			EVALUATOR #3			TECHNICAL SCORE		OCC SCORE	TOTAL SCORE
Banc of America	75	51	51	51	51	51	51	51	51	177/3	59	Non-Responsive	
First Albany Corp.	52	49	49	49	49	49	54	54	54	155/3	51.6	15	66.6
First Southwest	39	48.5	48.5	48.5	48.5	48.5	37	37	37	124.5/3	41.5	Non-Responsive	
Lehman Bros./SBK Brooks Invest Corp.	66	61	61	61	61	61	61	61	61	188/3	62.6	15	77.6
A. G. Edwards & Sons Stone & Youngberg, LLC	80	77	77	77	77	77	82	82	82	239/3	79.6	15	94.6
Morgan Stanley Dean Witter/Apex Pryor Securities	72	60	60	60	60	60	60	60	60	192/3	64	15	79
Paine Webber, Inc. Siebert Brandford & Co. Gralcap, Inc.	75	75	75	75	75	75	76	76	76	225/3	75	15	90
Robinson-Humphrey M. R. Beal & Company	75	69	69	69	69	69	70	70	70	214/3	71.3	15	86.3
Salomon Smith Barney Redwood Securities	66	65	65	65	65	65	67	67	67	198/3	66	15	81
Bear Stearn & Co. Jackson Securities/First Union	54	71	71	71	71	71	63	63	63	188/3	62.6	15	77.6
Suntrust & Equitable Securities Wachovia Securities	55	47	47	47	47	47	45	45	45	147/3	49	1	48

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG BRIDGEON

Commissioner's Signature

Director's Signature

Originating Department - Finance

Contact Person: R. Malveaux (ext. 6938)
C. Zachery - (ext. 6057)

Committee(s) of Purview - Finance/Executive

Council Deadline: September 15, 2000

Committee Meeting Dates(s) September 26 & 27, 2000

Full Council Date: October 2, 2000

CAPTION:

A RESOLUTION BY

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FINANCIAL IMPACT

FINANCIAL IMPACT (if any)

Mayor's Staff Only

Received by Mayor's Office:

9/14/00
(date)

Reviewed by:

RJ 9/15/00
(initials) (date)

Submitted to Council:

(date)

Action by Committee:

☐ Approved ☐ Advertised ☐ Held ☐ Amended
☐ Substitute ☐ Referred ☐ Other